IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.8090 of 2008
RAJ NARAIN YADAV & ORS
Versus
STATE OF BIHAR
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4. 24/6/2008 Heard the counsel for the petitioners and the State.

As per the allegation in the F.I.R., the daughter of the informant was kidnapped by Umesh Kumar Yadav which was noticed by the son of the informant.

So far the petitioners Raj Narain Yadav, Phulmati Devi, Kameshwar Yadav and Rakesh Yadav are concerned, they were present at their house when the informant and his son went to ask for where about of the victim girl. After fifteen days, again they went to ask for where about of the victim girl and at that time these petitioners are said to have abused and shown their anger to the informant and his son. The statement in the F.I.R. is contradictory to the statement of the victim girl recorded under Section 164 Cr. P.C. As per the statement under Section 164 Cr. P.C., on the date of occurrence itself, she was taken to Patna and from there to Himachal Pradesh. In the said journey, all four petitioners also accompanied the victim girl and Umesh Yadav.

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Considering these facts that in the F.I.R. there is no allegation against these petitioners so far kidnapping is concerned, the prayer for anticipatory bail on behalf of the petitioners namely, Raj Narain Yadav, Phulmati Devi, Kameshwar Yadav and Rakesh Yadav is allowed in connection

with Sidhwaliya P.S. Case No. 18 of 2007 in case of their surrender before the C.J.M., Gopalganj, within four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

S.Ali **(Mridula Mishra, J.)**

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